

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING
PLANNING COMMISSION AT ITS REGULAR MEETING OF MAY 19, 2015

PLANNING COMMISSION
MINUTES OF APRIL 21, 2015
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

MEMBERS PRESENT: Arnoys, Bueche, Goodheart, Hegyi, Micele, Postema, Spencer,
Woodruff

MEMBERS ABSENT: Weller

STAFF PRESENT: Rynbrandt, Director of Community Services
Cochran, City Planner
Lucar, Administrative Aide

Chair Spencer called the meeting to order at 7:00 PM.

Motion by Hegyi, supported by Woodruff, to excuse Weller. Motion carried unanimously.

APPROVAL OF MINUTES

The minutes of March 17, 2015 were approved as written.

APPROVAL OF AGENDA

The agenda was approved as presented.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

There were no public comments.

AGENDA ITEM NO. 1

Request to rezone 0.4 acres from RO-1 Restricted Office to B-1 Local Business. The property is located at 4992 Wilson Avenue. (Section 29) (The R Group)

Cochran described the location, existing land use and current zoning around the area. The petitioners propose to rezone this property to accommodate its development as a two-tenant and 3,000 square foot retail center. If the rezoning is approved, the petitioners will then seek Special Use and Site Plan Approval from the Planning Commission for the project. Staff had the following comments:

1. The City of Wyoming Land Use Plan 2020 was adopted in 2006. It identifies this site as being appropriate for Community Commercial purposes. This is the same designation as the surrounding commercial developments.
2. Prior to 2004, the developers of the Wilsontown Shopping Center had sought to acquire this property to combine with their development. This did not occur, and the access drive to the shopping center was constructed along the property's north property line. This contention between the property owners blocked the ability to share access. Subsequently, in June 2004, this property was rezoned from ER Estate Residential to RO-1 Restricted Office. The rationale for the rezoning was that the property would be poorly suited for residential purposes. In addition, because of its small size and lack of shared access, its ability to be developed for commercial purposes would be greatly restricted, given the need for the front yard greenbelt, parking and setback requirements. A small office building with limited parking needs was considered to be all that would be feasible on the site. This rezoning also occurred prior to Wilson Avenue being widened to four lanes.

The petitioners have now obtained a working agreement to have access to the Wilsontown Shopping Center driveway. If the rezoning is approved, the property owners will finalize this agreement to allow the development to proceed. The petitioners have voluntarily offered to enter into a Development Agreement with the City Council to commit to the proposed development plan.

3. This property is unsuitable for rezoning to the PUD-2 Commercial Planned Unit Development district which borders the site to the north and east. The PUD-2 district was expressly created to address the development of the Wilsontown Shopping Center. The PUD-2 district requires properties to be a minimum of one acre and a 200 foot building setback is required from residential properties. The B-1 district requires properties to be a minimum of 6,500 square feet (0.15 acres) with a 20 foot minimum building setback from residentially zoned properties.
4. The properties to the south along the east side of Wilson Avenue to 52nd Street are identified in the Land Use Plan as being appropriate for Office Service. Dating back to before development of the Land Use Plan, those property owners have desired commercial zoning. The Land Use Plan was developed to create a balance of commercial, office and multifamily uses where appropriate along the Wilson Avenue frontage.
5. The 16 acres across Wilson Avenue and to the southwest was rezoned in January 2015 to accommodate 192 apartments (14 acres) and a small office development (2 acres).

Cochran highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. This area of Wyoming and Grandville is one of the predominant commercial centers in West Michigan. The proposed rezoning and subsequent development is small in scale, and would integrate well into the Wilsontown Shopping Center development. The development

would contribute to the area's economic strength, and would provide employment through construction and ongoing business activities. The proposed rezoning conforms to the City of Wyoming Sustainability Principles.

Cochran referred to the Terms of a Development Agreement for 4992 Wilson Avenue proposed by the developer, as follows:

Upon successful completion by the City of Wyoming of rezoning to B-1, site plan approval and approval of the special use permit for a drive through, and granting of necessary variances, the developer agrees to the following conditions:

The site shall be developed in general conformance to the submitted site plan, subject to City of Wyoming review comments. Minor deviations shall be permitted to adjust for unforeseen field conditions, City of Wyoming requirements and other similar requirements necessary for the successful construction of the proposed project.

The developer will obtain the necessary easements from the Wilsontown Development and Home Depot to complete the driveway access system shown on the proposed site plan.

Planning Commission Action:

The Development Review Team suggested the Planning Commission recommend to the City Council approval of the proposed rezoning.

Chair Spencer opened the public hearing.

Tom VanOpstall, 5073 Amanda Drive, was concerned about how this rezoning could negatively impact future development extending south on Wilson Avenue, which could affect Alexandria Estates.

Chair Spencer closed the public hearing.

Petitioner Rick Postema of Richard Postema Associates said they have been trying to find office uses to locate in this corridor for about eight years. He felt this use is a good fit, and it is also a great transitional use if office were developed to the south.

Postema asked to abstain from voting on this item due to a conflict of interest.

Motion by Micele, supported by Hegyi, to grant Postema an abstention from voting on this item due to a conflict of interest. Motion carried unanimously.

Motion by Woodruff, supported by Micele, to recommend to the City Council approval of the proposed rezoning. Discussion followed.

Goodheart asked what type of development had been proposed a few years ago south of this property. Cochran replied the most recent proposal was for 200 apartment units at the southeast corner of 52nd and Wilson, which was denied. There is nothing proposed south of this property at this time, but the economy is heating back up. Goodheart asked if anyone had spoken with the residential property owner directly to the south. Perhaps there should be some type of buffer between this use and the residential property. Cochran responded that there has been no communication with the residential property owner directly to the south. The standard buffer is a six foot high privacy fence. Goodheart thought there was a natural tree buffer that should remain. Cochran noted the buffering could be addressed during Site Plan Review. Petitioner Postema said there is a hedge there now, and they are not opposed to a fence.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 2

Zoning Ordinance reformatting update.

Cochran provided the Commissioners with a handout which outlines the basic structure for the Zoning Ordinance reformatting. Key sections will be brought before the Planning Commission for review. There will be color graphics and representations of how buildings can be positioned on properties. There will also be hyperlinks in the electronic version of the ordinance. The use table will be placed at the end, which will be more user-friendly when researching whether a certain use fits within a particular zoning district.

AGENDA ITEM NO. 3

Form Based Code Division Avenue Update.

Cochran noted the FBC Steering Committee, with Wyoming representation from Micele, Chair Spencer, Rynbrandt and himself, is moving the Form Based Code for Division Avenue forward. There is now a very clear picture of what to present to the property owners along the Division Avenue corridor. Instead of the current six zoning districts represented, they will focus on two districts. 50th Street north to Alger Street will be the Corridor General District, which will mirror the original plan of making sure businesses are located close up to the street. There will also be more opportunity for mixed use development. South of 50th Street will be the Corridor Edge District, where buildings will be no further back than 50 feet.

Chair Spencer mentioned, when the committee first started meeting there were different viewpoints regarding development, but now everyone seems to be in agreement.

PUBLIC COMMENT

Dean Berkompas, 5060 Wilson Avenue, noted there was a senior living center proposed along the east side of Wilson Avenue north of 52nd Street about five years ago. Cochran clarified that there was nothing officially submitted to the city.

Tom VanOpstall, 5073 Amanda, said the plan shows an access into the Home Depot drive, which could be a traffic hazard since vehicles speed through this drive to get to the uses fronting on Wilson Avenue. Chair Spencer indicated this is not an official site plan. The property owners will be notified again at the time of Special Use and Site Plan Review.

Russ VandenBerg, 5050 Wilson Avenue, said when the apartment complex was approved in this area, the plan included a traffic light which should alleviate traffic problems.

ADJOURNMENT

The meeting was adjourned at 7:45 P.M.

Anthony Woodruff, Secretary
Wyoming Planning Commission

Kimberly S. Lucar, Administrative Aide
Wyoming Planning Commission